

# THE MICHIGAN LEGISLATURE

## MEMBERS OF THE LEGISLATURE

### *Qualifications*

In order to qualify as a member of the Michigan Legislature, a person:

- Must be a citizen of the United States, at least 21 years of age, and an elector of the district he or she represents.
- Must not have been convicted of subversion or, within the past 20 years, have been convicted of a felony involving a breach of the public trust.
- Must not hold any office, employment, or position under the United States, the state of Michigan, or any political subdivisions thereof. A person may, however, be a notary public or a member of the armed forces reserve. This constitutional provision allows people holding offices or positions to run for the legislature, but since dual office holding is prohibited, a legislator-elect must resign the prior office or employment as a condition of taking a seat in the legislature.
- Must have had an accounting, in the manner prescribed by law, of all sums for which the person may be liable if the person has custody or control of public money.

Members-elect, before entering upon the duties of office, are required to take and subscribe to the oath of office set forth in the Constitution of 1963, article 11, section 1.

### *Restrictions of Office*

Once elected to the legislature, a member is **not eligible to receive any appointment**, except as a notary public, within this state from the governor, the legislature, or from any other state authority during the term for which the member was elected. In addition, an amendment to the state constitution adopted by the voters limits state representatives to 3 terms (6 years) in the House of Representatives and state senators (for terms starting January 1, 1995, and after) to 2 terms (8 years) in the Michigan Senate.

A member of the legislature cannot have an interest, either directly or indirectly, in any contract with the state of Michigan or any political subdivision which would cause a substantial **conflict of interest**. This constitutional provision was implemented by Act 318 of 1968.

The senate and house rules also contain provisions related to **legislative conduct and ethics**.

Under the Constitution of 1963, each house of the legislature is the sole judge of the qualifications, elections, and returns of its members.

Each chamber also has **authority to expel a member** with the concurrence of two-thirds of its members. The reasons for an expulsion must be entered in the journal along with the votes and names of the members voting on the expulsion. The constitution prohibits a member from being expelled a second time for the same reason.

### *Legislative Privileges*

Senators and representatives are privileged from **civil arrest and civil process** during sessions of the legislature and for 5 days before the commencement and after the termination of session. A constitutional amendment approved at the November 1982 general election authorized the legislature to pass laws to reform this exemption. Subsequently, statutes were enacted that prohibit legislators from being made party to civil actions or to contested cases under the Administrative Procedures Act of 1969 for actions pursuant to duties as a legislator. Certain legislative records are exempted from subpoena. In certain administrative proceedings and civil actions, exceptions were made to service of process requirements and provision was made for

continuances to a nonsession day. Members cannot be questioned in any other place for any speech made in either house. Legislators are not immune from arrest on criminal charges.

The Constitution of 1963 also affords legislators the privilege of **dissenting from, and**

**protesting against, any act, proceeding, or resolution** which the members deem injurious to any person or the public and to have the reason for the dissent entered into the journal.

### ***Vacancies in Office***

Under the Michigan Constitution, the Governor is responsible for determining whether a special election will be held to fill a vacancy in a legislative office or if the vacancy will be filled at the next general election. The election procedures for filling the vacancy are prescribed by law (Constitution of 1963, art. V, sec. 13).

### ***Legislator Compensation***

Legislators' salaries and expense allowances are determined by the State Officers Compensation Commission, which was established in the Constitution of 1963. The commission meets every 2 years. The commission's determinations shall be the salaries and expense allowances only if the legislature by concurrent resolution adopted by a majority of the members elected to and serving in each house of the legislature approves them. The concurrent resolution may amend the determinations to reduce them by the same proportion for members of the legislature, the governor, the lieutenant governor, the attorney general, the secretary of state, and the justices of the supreme court. However, the legislature may not reduce the determinations to below the levels members receive on the date the determinations are made. If the salary and expense determinations are approved or amended, they become effective for the legislative session immediately following the next general election.

The **annual salary** remains unchanged for legislators for 2015-2016 at \$71,685, with an expense allowance of \$10,800. Current supplemental salaries are also unchanged as follows: speaker of the house, \$24,300; senate majority leader, \$23,400; house and senate minority leaders, \$19,800; house and senate majority floor leaders, \$10,800; house and senate minority floor leaders, \$9,000; house and senate appropriations committee chairs, \$6,300; and house speaker pro tempore and senate president pro tempore, \$4,962 (these figures for salaries, expenses, and supplemental salaries represent a 10 percent reduction from the 2009-2010 Legislature). In addition, each legislator may claim reimbursement for certain travel undertaken in the conduct of official legislative business.

## **LEGISLATIVE OFFICERS, RULES, AND PROCEDURES**

Except as provided in the state constitution, each house of the state legislature chooses its own officers and determines the rules of its proceedings.

### ***Officers of the Senate***

By virtue of office, the **lieutenant governor**, who is not an elected member of the senate, is the president (presiding officer) of the senate. In addition to calling each senate session to order and instructing the secretary of the senate to call the roll and announce the attendance, the lieutenant governor has general control over order and decorum within the senate chamber. The lieutenant governor may vote only when senators are equally divided.

Prior to the commencement of the first session of a quadrennium (4-year term), the senate and each party caucus elect other officers. The senate elects a **president pro tempore**, assistant president pro tempore, and associate president pro tempore. One of these officers presides in the absence of the lieutenant governor.

In an organizational caucus, each party elects a leader, floor leader, whip, assistant leader, caucus chair, assistant floor leader, assistant whip, and assistant caucus chair.

The **senate majority leader** appoints all committees and has supervisory control over the administration and office budget of the senate, refers bills to committees, and develops and disseminates guidelines on a variety of senate operations.

The **majority floor leader** is responsible for scheduling and managing the day-to-day business of the senate. During session, the majority floor leader keeps members informed on the order of business and the progress of measures that may be considered for a final vote.

The principal duty of the **whips** is to ensure that the members of their respective caucuses will be present to vote on a given bill. The caucus officers conduct and preside over caucus meetings and are influential in caucus decisions.

As the senate parliamentarian, the **secretary of the senate** advises the senate on questions relating to parliamentary law and procedure. The secretary, who is not a member of the senate,

is elected by the members of the senate. Among the duties assigned to this officer are keeping a journal of the daily proceedings, providing for the printing of bills, assigning bill numbers, and maintaining an official record of all bills received by the senate. The secretary of the senate also exercises supervisory control over the senate chamber, committee rooms, sergeants-at-arms, pages, and the senate's computer system.

## ***Officers of the House***

The presiding officer of the Michigan House of Representatives is the **speaker**, who is elected at the beginning of the biennium (2-year term) by the members of the house and serves as the caucus leader of the majority party. As the presiding officer, the speaker calls the house to order, maintains decorum, decides on questions of order, recognizes who shall speak, and settles points of order that arise during session. The speaker also appoints all committees and most employees of the house, refers bills to appropriate committees, and controls the order in which bills are considered. As an elected member of the house, the speaker is entitled to vote on all questions.

The **speaker pro tempore** and **associate speaker pro tempore** are elected by the majority party caucus. One of these officers presides if the speaker is absent or chooses to participate in floor debate. While presiding, they can generally exercise the same powers as the speaker (i.e., recognize speakers, settle points of order, etc.).

The **floor leaders** and their assistants are the primary strategists for their respective caucuses. During session the floor leader keeps the session agenda moving with regular statements regarding the daily calendar.

As in the senate, the various caucus officers are responsible for conducting **party caucus meetings** that are often held to develop strategy on a specific measure or package of bills. In turn, the whips serve their respective caucuses by making certain that members are present for key votes.

The **clerk of the house** is not a member of the house of representatives, but is elected by the members to serve as the manager of the “housekeeping” details. The clerk calls the roll, announces a quorum, keeps the journal, numbers and distributes the bills, and serves as the chief parliamentary officer of the house.

## ***Standing Rules***

The senate adopts its standing rules every 4 years, and the house of representatives adopts its rules every 2 years.

In the senate, amending or repealing a rule is proposed by resolution which is referred to a standing committee for review. The **amendment or repeal** of a rule requires a majority vote of the senators present. A rule may be suspended by a majority of the members elected and serving.

House rules may be altered by a majority vote of the members elected and serving, but any proposed changes must be made in writing and in the possession of the house 5 days prior to its consideration. A rule may be suspended by a vote of three-fifths of the representatives present. **Suspension of the rules** on matters related to the order of business, schedule of legislative sessions, and adjournment may be by majority vote of the members elected and serving.

## ***Parliamentary Procedure***

In the senate, the rules of parliamentary practice included in ***Mason's Manual of Legislative Procedure*** govern in all cases where they are not inconsistent with the senate rules and the precedents of the Michigan Senate. Senators' **inquiries as to parliamentary procedure** during session are directed to the presiding officer. It should also be noted that, by senate rule, the secretary of the senate or a member of the staff of the secretary of the senate serves as the senate parliamentarian to advise the senate on questions relating to parliamentary law and procedure.

In the house, in cases not provided for by the state constitution, the Standing Rules of the

## LEGISLATIVE SESSIONS

### *Biennial Sessions*

Meetings of the Michigan Legislature are on a **2-year basis**. Any business or legislation pending at the final adjournment of a regular session held in an odd-numbered year carries over with the same status until the next regular session. However, under the Joint Rules of the Senate and House of Representatives, either house is prohibited from reconsidering in a subsequent year the vote by which any business, bill, or joint resolution was defeated or vetoed during the previous year.

### *Regular Sessions*

In accordance with the state constitution, the Michigan Legislature is required to meet at the seat of government (Lansing) on the second Wednesday in January of each year at 12:00 noon.

The **daily sessions** of the legislature are normally held, unless either house designates a different hour for convening, on Tuesday, Wednesday, and Thursday at 10:00 a.m. in the senate; Tuesday and Wednesday at 1:30 p.m. and Thursday at 12:00 noon in the house.

### *Quorums*

A majority of the members elected to and serving in each house constitutes a quorum to conduct business. In the **senate**, 20 members constitute a quorum, while in the **house**, 56 members may conduct business. If a legislative seat has been vacated for any reason, and is not filled, it is not counted in computing a quorum.

### *Calls of the House or Senate*

In either house, if a quorum is not present, the members present may adjourn from day-to-day and may compel the attendance of absent members in the manner and with penalties as each house prescribes. For example, a call of the senate may be ordered by a majority of the senators present, regardless of whether a quorum is present. To order a call in the house of representatives, at least 15 members must vote in favor of the motion. Once a call is ordered, the doors of the house or senate are closed and the members are prohibited from leaving the floor of the chambers without permission of the body. The sergeant-at-arms or other authorized person may be dispatched after absentees.

### *Recesses and Adjournments*

Neither house can adjourn, without the consent of the other, for more than 2 intervening calendar days, nor adjourn to any place other than where the legislature may then be in session.

Regular sessions are adjourned sine die (without day) at twelve o'clock noon on a day determined by concurrent resolution. Usually, the sine die or final adjournment occurs during the last week of the year.

### *Special Sessions*

The governor is authorized by the state constitution to convene the legislature on extraordinary occasions. The **governor** may also convene the legislature at some other place if it becomes dangerous to meet at the seat of government. During a special session, the legislature cannot pass bills on any subject other than those expressly stated in the governor's proclamation or those submitted by special message.

Under the joint rules, if either or both houses have adjourned for more than 2 days until a specific date, a committee composed of the senate majority leader and the speaker may, by unanimous vote, convene either or both houses at any time in case of emergency.

### *Open Meetings*

Under the state constitution, the doors of each house must be kept open unless the public security requires otherwise. The sessions of the legislature must also be held in compliance with the provisions of the Michigan Open Meetings Act (Act 267 of 1976). **Exceptions** to this law applicable to the legislature include the following:

- The right to address or speak at a meeting of the legislature or either house may be limited to prescribed times at hearings and committee meetings only.

- Partisan caucuses of members of the legislature may be held in closed session.
- The 18-hour public notice for rescheduled meetings does not apply to conference committees. These committees are required to give a 6-hour notice. A second conference committee has to give only a 1-hour notice. The conference committee meeting notice must include written notice to each committee member and the majority and minority leaders of each house of the time and place of the meeting.

## HOW A BILL BECOMES A LAW

### *Introduction of Bills*

Bills may be introduced in either house of the legislature. Senate bills are filed with the secretary of the senate and house bills with the clerk of the house. Upon introduction, bills are assigned a number. At the beginning of each biennial session, house bills are **numbered** consecutively starting with House Bill No. 4001 and senate bills are numbered starting with Senate Bill No. 1. In both houses, joint resolutions are assigned a letter designation.

### *Title Reading*

Under the state constitution, every bill must be **read 3 times** before it may be passed. The courts have held, however, that this requirement can be satisfied by reading the bill's title. Upon introduction, the bill's title is read a first and a second time in the senate and is read once in the house. The bill is then ordered to be printed.

### *Referral to Committee*

Upon introduction, a bill is referred to a standing committee in the senate by the majority leader. In the house of representatives the speaker of the house refers bills to the standing committee. All bills involving an appropriation must be referred either directly to the appropriations committee or to an appropriate standing committee and then to the appropriations committee.

### *Committee Review*

Committee members consider a bill by discussing and debating the bill. The committee may also hold public hearings on the bill.

### *Committee Action*

A standing committee may act on a bill in various ways. The committee may:

- Report the bill with favorable recommendation.
- Report the bill with amendments with favorable recommendation.
- Report the bill with the recommendation that a substitute be adopted.
- Report the bill without recommendation.
- Report the bill with amendments but without recommendation.
- Report the bill with the recommendation that the bill be referred to another committee.
- Take no action on a bill.
- Vote to not report a bill out of committee.

*Reported with recommendation.* If a bill is reported from committee favorably with or without amendment or in the form of a substitute bill, the committee report is printed in the journal, with a list of how committee members voted on reporting the bill. On being reported favorably from committee, the bill and recommended committee amendments (if any) are placed on the order of "General Orders" in the Senate. In the House, the bill and amendments (if any) are referred to the order of "Second Reading."

*Reported without recommendation.* The bill, upon being reported from committee, is tabled (temporarily removed from consideration) on the floor. A majority vote of the members present and voting in the chamber where the bill is tabled is required to remove the bill from the table

before it may be given further consideration.

*Failing to report a bill.* In both chambers, a majority vote of the members serving on a committee is necessary to report a bill. If a committee fails to report a bill, a motion to discharge the committee from consideration of the bill may be offered in the chamber having possession of the bill. If this motion is approved by a vote of a majority of the members elected and serving, the bill is then placed in position on the calendar for floor action. In the House, at least a one-day prior notice of the motion to discharge must be given to the Clerk of the House.

### ***Committee Reports***

If a bill is reported from committee favorably with or without amendment or in the form of a substitute bill, the committee report is **printed in the journal** under the order of business entitled “Reports of Standing Committees” in the house. On being reported favorably from committee, the bill and recommended committee amendments, if any, are placed on the order of “General Orders” in the senate. In the house, the bill and amendments are referred to the order of “Second Reading.”

### ***General Orders or Second Reading***

For the purpose of considering the standing committee recommendations on a bill, the senate resolves itself into the committee of the whole and the house assumes the order of Second Reading. Amendments to the bill may be offered by any member when the bill is being considered at this stage of the legislative process. In the senate, a simple majority of members present and voting may recommend adoption of amendments to the bill and recommend a bill be advanced to Third Reading. In the house, amendments may be adopted by a majority serving, and a majority voting may advance the bill to Third Reading. In the house, a bill may be placed on Third Reading for a specified date.

### ***Third Reading***

While there are provisions in the Standing Rules of the House of Representatives and the Senate Rules for reading bills unless exception is made, in practice, bills are not read in full in either chamber. In both chambers, amendments must be approved by a majority vote of the members serving and the previous question may be moved and debate cut off by a vote of a majority of the members present and voting. At the conclusion of Third Reading, the **bill is either passed or defeated by a roll call vote** of the majority of the members elected and serving (pursuant to the state constitution, approval of certain measures requires a “supermajority” of a two-thirds or three-fourths vote) or one of the following 4 options is exercised to delay final action on the bill: (a) the bill is returned to committee for further consideration; (b) consideration of the bill is postponed indefinitely; (c) consideration is postponed until a certain date; or (d) the bill is tabled.

Following either passage or defeat of a bill, a legislator may move for reconsideration of the vote by which the bill was passed or defeated. (A motion to reconsider can be made for any question.) In the senate, the **motion for reconsideration** must be made within the following 2 session days; in the house, the motion must be made within the next succeeding session day.

### ***Five-Day Rule***

No bill can become law at any regular session of the legislature until it has been printed and reproduced and in the possession of each house for at least 5 days (Constitution of 1963, art. IV, sec. 26).

### ***Immediate Effect***

No act shall take effect until the expiration of 90 days from the end of the session at which the measure was enacted. The legislature may give immediate effect to an act by a two-thirds vote of the members elected and serving in each house (Constitution of 1963, art. IV, sec. 27).

### ***Enactment by the Legislature***

If a bill passes, it is sent to the other house of the legislature where the bill follows the procedure outlined above, resulting in defeat or passage.

If a bill is passed by both houses in identical form, the **bill is ordered enrolled** by the house in which the bill originated. Following enrollment and printing, the bill is sent to the governor.

If a bill is passed in a different form by the second house, the **bill must be returned to the house of origin** and one of the following occurs:

- If the amendment(s) or substitute bill of the second house is accepted in the house of origin, the bill is enrolled, printed, and sent to the governor. It should also be noted that either house may amend an amendment made by the other to a bill or joint resolution. At any time while in possession of the bill, either house may recede from its position in whole or in part and the bill may be returned to the other house for this purpose. If this further action is agreed to by both houses, the bill is ordered enrolled.
- If the amendment(s) or substitute proposal of the second house is rejected in the house of origin, the bill is then sent to a **conference committee** (a committee composed of 3 legislators from the senate and 3 legislators from the house) which attempts to reconcile differences between the 2 versions of the bill. The conference committee can consider only issues in the bill upon which there is disagreement between the 2 houses. However, when the agreement arrived at by the conferees is such that it affects other parts of the bill, such as in an appropriations measure, the conferees may recommend further amendments to conform with the agreement. The conferees may also recommend corrections to any errors in the bill. The conference committee may reach a compromise approved by at least a majority of the conferees from each house and submit a report to the house of origin. If adopted, the report and bill are transmitted to the second house. If the **conference committee report** is approved in the second house, the bill is then enrolled, printed, and sent to the governor. A conference report may not be amended by either house. If the conference committee is not able to agree, or if the report is rejected by either house, a second conference committee is appointed. When a second conference has met and the 2 houses are still unable to agree, no further conference is in order.

### ***Approval by Governor***

Upon receipt of an enrolled bill, the governor has **14 days to consider** the bill. The governor may:

- **Sign the bill.** which then either becomes law at the expiration of 90 days after the legislature adjourns sine die or on a date beyond the ninetieth day specified in the bill. If the bill has been given immediate effect by a two-thirds vote of the members elected to, and serving in, each house, the bill will become law after the governor signs the bill and files it with the secretary of state or on a day specified in the bill.
- **Veto the bill** and return it to the house of origin with a message stating the governor's objections.
- **Choose not to sign or veto the bill.** If the bill is neither signed nor vetoed and the legislature is in session or in recess, the bill becomes law 14 days after having reached the governor's desk. If the legislature should adjourn sine die before the end of the 14 days, the unsigned bill does not become law. If the legislature has adjourned before the bill reaches the governor, he or she has 14 days to consider the bill. If the governor fails to approve the bill, it does not become law.

### ***Legislative Veto Response***

If the governor vetoes a bill while the legislature is in session or recess, one of the following actions may occur:

- The legislature may override the veto by a two-thirds vote of the members elected to and serving in each house. The bill then becomes law.
- The bill may not receive the necessary two-thirds vote and thus the attempt to override the veto will fail.
- The bill may be tabled.
- The bill may be re-referred to a committee.
- Consideration of the veto override may be postponed indefinitely or to a definite time.

## **THE COMMITTEE SYSTEM**

The committee system has evolved in response to the great number and diversity of issues that must be considered by the Michigan Legislature. Without being divided into committees, it would be difficult for either the senate or the house to effectively or efficiently evaluate the thousands of proposals that are introduced each biennial session. The committee system distributes the workload; in many instances, the critical decisions regarding legislation are made in a committee or in a subcommittee.



## ***Legal Authority for Legislative Committees***

The Constitution of Michigan of 1963 is the ultimate authority by which the legislature creates and acts through committees. Constitution of 1963, art. IV, sec. 17, provides that “Each house of the legislature may establish the committees necessary for the conduct of its business . . .” including joint committees. The constitution makes certain stipulations governing committees, including the right of the members of a house to discharge a committee from further consideration of a bill (art. 4, §16) and the maintaining of votes and actions taken and the notification of meetings (art. 4, §17).

The constitution also provides specifically for the Legislative Council, a bipartisan joint committee charged with providing various services supporting the operations of the legislature (art. 4, §15).

Many **functions of committees** are provided for by statute, including provisions relating to expenses, the administering of oaths to witnesses, subpoena power, contempt, the inspection of state agency records, and other matters.

The rules of each house create the **standing committees** and govern most of the activities of committees. The procedures followed by the respective houses in considering bills and exercising oversight of the executive branch departments are, for the most part, set forth in these rules. The number of members on each committee, the names of the committees, the responsibilities of committee members and chairs, staffing and expenses, procedures, reports, and parliamentary practices are contained in the rules.

## ***Standing Committees***

Standing committees, which are the principal vehicles by which legislation must pass for scrutiny, debate, and modification, are created by the rules of each chamber. For 2015, there are 22 standing committees in the senate and 24 standing committees in the house:

### **SENATE COMMITTEES**

Agriculture (5)	Health Policy (10)
Appropriations (17)	Insurance (9)
Banking and Financial Institutions (8)	Judiciary (5)
Commerce (5)	Local Government (5)
Economic Development and International Investment (7)	Michigan Competitiveness (5)
Education (5)	Natural Resources (5)
Elections and Government Reform (5)	Outdoor Recreation and Tourism (5)
Energy And Technology (10)	Oversight (5)
Families, Seniors and Human Services (5)	Regulatory Reform (9)
Finance (7)	Transportation (5)
Government Operations (5)	Veterans, Military Affairs and Homeland Security (5)

### **HOUSE COMMITTEES**

Agriculture (17)	Health Policy (21)
Appropriations (29)	Insurance (17)
Commerce and Trade (19)	Judiciary (11)
Communications and Technology (14)	Local Government (11)
Criminal Justice (8)	Military and Veterans Affairs (9)
Education (17)	Natural Resources (9)
Elections (8)	Oversight and Ethics (6)
Energy Policy (25)	Regulatory Reform (15)
Families, Children, and Seniors (8)	Tax Policy (13)
Financial Liability Reform (9)	Tourism and Outdoor Recreation (8)
Financial Services (10)	Transportation and Infrastructure (16)
Government Operations (5)	Workforce and Talent Development (14)

House and senate rules specify the number of legislators that serve on each committee. For 2015, the committees contain from 5 to 29 members. **Committee assignments** are made by the majority leader in the senate and by the speaker of the house, unless otherwise directed. In the senate, appointments to committees are subject to approval by the senate. The senate rules provide that appointments of minority party members must be made from a list submitted by the



minority leader and must consider the preferences, seniority, and experience of the members. If the majority leader rejects names on the list and their corresponding committee assignments, the minority leader submits replacement nominations. In both houses, the first member named to the committee is the **chairperson** and the second named is the **vice chairperson**. By tradition, the first named member of the minority party is the minority vice chairperson.

Legislation is referred to standing committees by the majority leader of the senate or by the speaker of the house, respectively. The rules of the senate and the house do not describe the **jurisdiction of the individual standing committees**, except that all bills involving an appropriation must be referred either directly to the appropriations committee of the respective house or to an appropriate standing committee and then to the appropriations committee. Traditionally, the assignment of bills has followed topical lines. For example, bills concerning revenue measures have been referred to the House Tax Policy Committee or the Senate Finance Committee, and legislation dealing with schools has gone to the House Education Committee or the Senate Education Committee.

While the **primary function** of the standing committees is to consider legislation, there are a few specific exceptions. For example, the appropriations committees in the house and senate have the added responsibility under the constitution of approving or disapproving gubernatorial executive orders which propose reductions of expenditures authorized by appropriation. The **Senate Government Operations Committee** is the committee to which appointments to office submitted by the governor and all other executive business are referred. This committee also responds to questions relating to the interpretation and enforcement of senate rules concerning legislative conduct and ethics.

Standing committees are empowered to review legislation, hear testimony, and may, by resolution, be authorized to administer oaths, subpoena witnesses, and examine the books and records of any persons, partnerships, or corporations involved in a matter properly before any committee. The legislature may punish witnesses who neglect or refuse to obey committee subpoenas, or who refuse to be sworn or testify, or who fail, upon demand, to produce necessary materials relative to an investigation. The legislature may also punish witnesses or attorneys who are guilty of **contempt** while in attendance at any hearing before any committee.

Committees operate under the applicable committee rules of their respective houses. Committee action requires the approval of a majority of those appointed and serving on the committee. Under the state constitution, committees are required to keep an action journal recording the date and time of each meeting, the members present and absent, and all action on legislation with the names and votes of the members.

Standing committees generally have a **regular schedule** indicating the day and time the committees will meet each week. In the house, the schedule is adopted by the committee at the beginning of each term and is printed in the journal. **Notices of committee meetings** in the senate are printed in the journal, on the calendar, and are posted in various Capitol Complex locations. Verbal notice of the meeting is also given during session by the chairperson of the committee. If the legislature is in recess, the meeting notice must be filed at least 10 days prior to the meeting. A standing committee in either house may also hold **public hearings on bills** referred to that committee. Notice of the hearing, its subject, time and place is also printed in the journal, on the calendar, and is posted. Committees cannot meet during session unless authorized by the entire body.

### ***Special Committees***

Special committees, sometimes called ad hoc or select committees, are established by legislative resolution or by leadership and may consist of members of one or both houses. The number of members who serve on these committees varies according to the provisions of the resolution creating the committee. Special committees are generally appointed to serve for a specified period of time. For the most part, the purpose of a special committee is to study and investigate topics of special interest, such as fire safety needs, oil and gas extraction on public lands, and health care costs.

### ***Joint Committees***

In addition to the special committees which may consist of members from both houses, there are several permanent joint committees created by state statute. These committees include:

**Legislative Council** — a constitutionally created committee responsible for maintaining bill drafting, research, and other services for members of the legislature.

**Joint Committee on Administrative Rules** — a statutorily created bipartisan legislative

committee, comprised of 5 house and 5 senate members, which is responsible for the legislative oversight of administrative rules proposed by state agencies. Legislative Council staff provide needed services to the committee.

***Board of Trustees for the Michigan Legislative Retirement System*** — a joint committee established by statute to govern the administration of the legislative retirement system.

***Michigan Capitol Committee*** — established by Act 123 of 1987, this bipartisan, bicameral legislative-executive committee is composed of equal membership from the senate, house of representatives, and the executive office. Four members are appointed by the senate majority leader, 4 by the speaker of the house of representatives, and 4 by the governor. Members serve for 2-year terms and may be reappointed.

The Michigan Capitol Committee makes recommendations to the Michigan State Capitol Commission regarding the restoration and preservation of the State Capitol, and the management, operation, development, construction, renovation, maintenance, and repair of the building and its grounds.

### ***Other Committees***

Certain committees are created by the legislature for parliamentary purposes. These committees include the **committee of the whole**, which includes all of the members of a house sitting as a committee. The committee of the whole is established on General Orders in the senate and on the order of Second Reading in the house to consider the recommendations made by a standing committee. The committee of the whole may also adopt amendments to the bill. This parliamentary device generally offers greater informality and freedom of discussion and action than is possible at other stages of the legislative process. Another type of committee that plays an integral part in the legislative process is the **conference committee**. Conference committees consist of members from each house and are assigned the responsibility of resolving differences between versions of the same bill passed by both houses.

The Legislature also has boards created in statute to oversee both the House and Senate Fiscal Agencies. The agencies provide nonpartisan assistance to members on legislative fiscal matters. The senate board has 5 members, and the house board has 6 members.